

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

FILED

MAY 4 2000

NANCY MAYER-WHITTINGTON, CLERK
U.S. DISTRICT COURT

IN RE:

VITAMINS ANTITRUST LITIGATION

THIS DOCUMENT RELATES TO:

ALL DIRECT PURCHASER CLASS ACTIONS

M.D.L. NO. 1285

Misc. No. 99-0197 (TFH)

*Approved
JPH 5/11/20
Let this be
filed. Hagan!*

STIPULATION

IT IS HEREBY STIPULATED AND AGREED, by and among the parties identified below through the undersigned counsel, as follows:

1. If any proposed class is not certified, defendants in that action who have signed this Stipulation will not object to intervention in that action by any individual or entity that would have been a member of the class for which certification was sought, provided that the individual or entity agrees to comply with the matters set forth in this Stipulation. Individuals and entities who do so agree are referred to hereinafter as "such individuals and entities."

2. Defendants agree that the fact of intervention by any such individuals and entities will not be grounds for affecting the timetable for the action, or delaying the trial ready date.

3. Defendants who have signed this Stipulation and are parties in the action in which intervention is sought by such individuals and entities, will, at each such defendant's option, either (i) waive service of process by such individuals and entities pursuant to Rule 4(d) of the Federal Rules of Civil Procedure, or (ii) accept service of process by such individuals and entities on its attorneys.

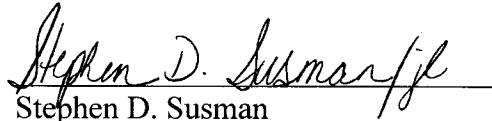
4. Defendants and the individuals and entities described in paragraph 3 will be bound by rulings previously made in the action, including without limitation whether personal jurisdiction exists over a defendant.

5. Depositions already taken may not be re-opened by any such individuals and entities on the grounds they were not parties when the depositions were taken or on any other grounds which would not entitle any other party to re-open a particular deposition.

6. Execution of this Stipulation shall be without prejudice to any defenses of any defendant, including without limitation insufficiency of service of process and lack of personal jurisdiction.

Dated: April 27, 2000

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